Successful Research in Your Summer Job

Reference Librarian
What we will cover

- Summer database access—Lexis, Westlaw, Bloomberg, CEB
- Librarian assistance available over the summer
- Summer research simulation—real-life research questions our students have been asked during past summer internships
  - Municipal law
  - Dockets
  - Judicial analytics
- Other useful resources for summer law interns
Summer Database Access

LRC databases
Low-cost options such as state and federal government websites
Westlaw® password Summer Extension

If you are not graduating this summer and are participating in a qualified program, register here for full use of Westlaw this summer.

Select reason for extension
- Summer law school classes
- Law Review and Journal work
- Project for a professor
- Moot Court
- Unpaid non-profit public interest internship/externship or pro bono work required for graduation, except as stated below.*

I Agree

lawschool.westlaw.com/registration/summerextension.aspx
Law librarians are available via chat to answer your summer research questions, Monday-Friday 9:00-5:00
Summer Clerks Research Guide

Strategies and research tips for working law students

1. Make a Plan

Ask Questions

Do a quick preliminary analysis, and take the time to answer who, what, when, where (jurisdiction), why, and how.

- For example, if you know starting out that you are looking at an issue of federal law, you can limit your preliminary research to resources that focus on federal law.

Further questions can help keep you organized and limit your work.

- "How much time do I have to complete this research?"
- "What do you want for the final product - memo, contract, brief, motion, or something else?"
- "Has anyone else worked on this?"

Clarify your Questions

- If you are unclear about any part after your preliminary analysis (the who, what, when, where, why, and how), now is the time to clarify.

2. Keep a Research Log

Research Logs & Credible Research

Keep a detailed record of what you researched, what you found, and how long you spent on that issue. It is especially helpful when your entire work product is mostly an explanation of how you spent your time.

- Maintain your log so that someone else could pick up where you left off.
- Keep track of your time for client billing or funding purposes.
- Consider research questions for summer jobs often ask you to prove a negative. For example:
  - "Can you make sure there's nothing new about [x]?

https://lawlibguides.sandiego.edu/summer/research-basics
Practice Guides

- Step-by-step manuals written for legal practitioners in most subjects
  - In print
  - Westlaw and Lexis
  - CEB OnLaw Pro

Hello, do you know if Westlaw or Lexis has *The Rutter Group: Personal Injury*? A partner recommended that I look at some sample demand letters in that guide.
## Practice Guides

<table>
<thead>
<tr>
<th>Publisher</th>
<th>Secondary Sources Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Westlaw</strong></td>
<td>Rutter Group, Bancroft-Whitney, Witkin, Cal Jur&lt;br&gt;Select Secondary Sources, then select California under By State; can narrow by Publication Type or Publication Series&lt;br&gt;*Practical Law includes Practice Notes on narrow issues</td>
</tr>
<tr>
<td><strong>Lexis</strong></td>
<td>Matthew Bender, Witkin, Cal Jur&lt;br&gt;Under Explore, select Secondary Materials in the Content tab, then select California under State; can narrow by a few large categories or pick from Top Secondary Sources&lt;br&gt;*Practical Guidance includes Practice Notes on narrow issues</td>
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<tr>
<td><strong>Bloomberg Law</strong></td>
<td>Trademarks &amp; Copyrights, Labor &amp; Employment, Health, Environmental &amp; Safety, Bankruptcy, Tax, and more&lt;br&gt;For BNA materials, select Browse, then Secondary Sources. For all other publishers select Books &amp; Treatises from the homepage.</td>
</tr>
<tr>
<td><strong>CEB OnLaw Pro</strong></td>
<td>California Treatises and Form Books&lt;br&gt;Register for a CEB academic account.&lt;br&gt;Link available on the LRC Databases A-Z list, under CEB Pro. <a href="http://www.sandiego.edu/law/library/find-resources/research-databases/">http://www.sandiego.edu/law/library/find-resources/research-databases/</a></td>
</tr>
</tbody>
</table>
**On the Menu: Duck or Salmon?**

*Stacey Goodwin  March 22, 2021*

The Porter-Cologne Act (Wat. Code, § 13000 et seq.) expresses the public’s primary interest in the conservation, control, and utilization of the water resources of the state. The State Water Resources Control Board and nine regional boards are charged with adopting water quality control plans under...

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**Holding Real Property in a Revocable Trust Won’t Prevent Use of Owner and Family Move-In Provisions**

*Bruce A. Last  March 22, 2021*

At least not in San Francisco where a revocable living trust is concerned. Experienced practitioners know that trusts are not separate legal entities like corporations, and that trusts and their beneficiaries are subject to the laws of the states in which property is owned. When a trust owns property and there is no separate legal entity that can modify how the property is to be used, then the trust itself may be prevented from using the property....
Secondary Sources

Litigation Practice & Procedure

- California Administrative Hearing Practice
- California Administrative Mandamus
- California Attorney Fee Awards
- California Attorney's Guide to Damages
- California Civil Appellate Practice
- California Civil Discovery Practice
- California Civil Procedure Before Trial
- California Civil Writ Practice
- California Expert Witness Guide
- California Government Tort Liability Practice
- California Summary Judgment
- California Trial Objections
- California Trial Practice: Civil Procedure During Trial
- Civil Litigation Reporter
- Effective Direct and Cross-Examination
- Enforcing Civil Money Judgments
- Handling Civil Appeals
- Handling Depositions
- Handling Expert Witnesses in California Courts
- Handling Motions to Compel and Other Discovery Motions
- Handling Subpoenas
- Meeting Statutory Deadlines: During and After Litigation
- Obtaining a Writ of Attachment

Contents
California Summary Judgment

1 Strategic Overview
   Marshall C. Wallace

2 Availability of Relief
   James Nesdolker

3 Timing Requirements and Planning Strategies

4 Evidentiary Burdens and Presumptions
   Michael C. Demison

5 Developing and Proffering Evidence

6 Moving Papers

7 Opposition Papers

8 Reply Papers

9 Objections to Evidence
   Stephen G. Block

10 Hearing and Oral Argument

11 Decision and Order

12 Challenging the Decision

13 Considerations in Particular Cases: Unlawful Detainer and Employment Discrimination

14 Forms
§1.6 E. When Summary Judgment Is Appropriate

Motions for summary judgment or summary adjudication are appropriate when

- The dispositive issue in the case is one of law, not of fact;

**EXAMPLE:** Examples of legally dispositive issues include the court's subject matter jurisdiction (Garofalo v Princess Cruises, Inc. (2000) 85 CA4th 1060, 1068); statutory interpretation, including preemptive effect (Garofalo v Princess Cruises, Inc., supra); application of statute to undisputed facts (Schachter v Citigroup, Inc. (2009) 47 CA4th 610); contract interpretation (C. L. Smith Co. v Roger Ducharme, Inc. (1977) 65 CA3d 735, 743), and existence of a duty (see, e.g., Denton v City of Fullerton (1991) 233 CA3d 1636, 1639).

- The admissible evidence reveals no issue of material fact as to the matters for which the party has the burden of proof;

- There is no admissible evidence to prove any material fact as to which the other side has the burden of proof;

- No reasonable jury would accept the adversary's position on a fact issue that is a necessary element of the adversary's claim or defense;

- There is no material fact issue as to an important cause of action, defense, or issue of duty, and the elimination of that issue would significantly improve the posture of the case at trial; or

- No reasonable jury could find clear and convincing evidence of malice, fraud, or oppression, or approval/ratification by a principal against whom punitive damages are sought.

**NOTE:** In federal court, a motion for summary judgment is also useful because the court can issue an order establishing certain facts in the action, even if it denies the motion. Fed R Civ P 56(g). Code of Civil Procedure 6437c does not permit such an order in state court.
Free and Low-Cost Resources

• Government websites
  • State, county, and local government websites provide a number of free resources

• CA Secretary of State website
  • Information about businesses licensed in the state
  • Forms for starting a business

• Court websites
  • Court rules, sample forms, fee information

• Municipal codes
  • Many for free online at Municode and American Legal Publishing
  • Or, check the municipal website
To Do Before Summer

- Register for a Westlaw extension, if your summer work qualifies
- Register your Bloomberg Law account, if you haven’t already
- Register your CEB OnLaw Pro account
- Bookmark the LRC’s Summer Clerks Research Guide
In-Class Research Exercises

- Can you help me find a California Attorney General opinion from 2003?
- I need help finding USDA regulations for custom slaughter.
- I want to find out if the SEC ever made any statements regarding their definition of the negligence standard, particularly around a private equity or investment context.
- I need help finding cases from the Board of Immigration Appeals.
- I need to find out if a case was filed in the 9th judicial district of Colorado.
- Is there a way to access past court orders?
- Can you help me find a California Attorney General opinion from 2003?
Municipal Law: Exercise

Your client is a hobbyist beekeeper who wants to set up an apiary in the San Diego area. He owns a home in City of San Diego and would prefer to build the apiary in his own backyard, if that doesn’t run afoul of municipal laws. As is the typical practice of beekeepers harvesting honey, he plans to fill the hives with smoke to calm the bees before harvesting honey. He wonders what City of San Diego laws apply to backyard beekeeping and honey harvesting. Your client also has two friends, one who lives in El Centro and the other in San Marcos. Both friends have offered to host his apiary in their backyards if San Diego’s beekeeping regulations are too strict. Locate the regulations in the three cities (hint: don’t neglect to locate any county regulations!) that you will need to read and understand in order to advise your client.
Municipal Law Research: Takeaways

• Federal and state laws and regulations may not be the only ones you need to research
  • Municipal law covers residential rules, zoning, local business, and more
• Municipal regulations may be stricter than state regulations
• No one-stop source for municipal law research
  • Try city and county websites (look for tabs labeled “government,” “code,” “city clerk,” or “laws and regulations”)
  • Online compilations are available at Municode.com, American Legal Publishing, Westlaw, Lexis
Questions to ask when you start a research project:

• Where do you suggest I start?/Where have you looked?
• How long should I spend on this project?
• Is there a preference for one database over another?
• What billing number should I use for this online research?
• Are you available for follow-up questions?
Docket Research

- A docket is a record of all documents filed by the parties or the court in a given case
- Includes pleadings, briefs, exhibits, orders, judgments, and other various documents
- Searchable by docket number or party name
- Also called Register of Actions in California courts
Dockets

- Bloomberg
  - Includes all dockets from PACER (electronic public access to docket information from federal courts)
  - Federal dockets and selected state dockets
- Westlaw and Lexis have dockets for other courts
  - Coverage is incomplete; you won’t find a docket for every case in Westlaw or Lexis
- State court dockets
  - State court websites
  - Check out our guide: [https://lawlibguides.sandiego.edu/finding-court-documents](https://lawlibguides.sandiego.edu/finding-court-documents)
### Popular Links

**SEARCHES**
- All Legal Content
- Court Opinions Search
- Points of Law Search
- News Search
- Litigation Analytics
- Books & Treatises
- Transactional Precedents Search

**LAW SCHOOL RESOURCES**
- Live & Recorded Webinars
- On-Demand Certification Courses
- Law Review Resources
- Career Resources
- Librarian Resources
- Videos & Reference Guides
- Circuit Splits Charts
- Practice Centers & Tools

**FEATURED**
- ALM Media Resources
- Brief Analyzer
- Bloomberg Law News
- Draft Analyzer
- Subscribe to Newsletters
- Alerts Management
- Practical Guidance
- State Litigation Resources
IN RE: NATIONAL COLLEGIATE ATHLETIC ASSOCIATION ATHLETIC GRANT-IN-AID CAP ANTITRUST LITIGATION, (N.D. Cal. Jun 13, 2014),

Docket No. 4:14-md-02541

U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:14-md-02541-CW

IN RE: NATIONAL COLLEGIATE ATHLETIC ASSOCIATION ATHLETIC GRANT-IN-AID CAP ANTITRUST LITIGATION

DOCKET INFORMATION

DATE FILED: Jun 13, 2014
STATUS: Closed
NATURE OF SUIT: 410 Anti-Trust
ASSIGNED TO: Hon. Claudia Wilken
CASE IN OTHER COURT: Ninth Circuit Court of Appeals, 18-15054
Ninth Circuit Court of Appeals, 19-15566
Ninth Circuit Court of Appeals, 19-15662
CAUSE: 15:15 Antitrust Litigation
DATE TERMINATED: 2019-03-12
JURISDICTION: Federal Question
JURY DEMAND: None
MEMBER CASES: 4:14-cv-01011-CW
REFERRED TO: Magistrate Judge Nathanael M. Cousins
RELATED CASES: 4:20-cv-03919-CW
Multi-district Litigation Cases: 4:14-cv-03159-CW
4:14-cv-05126-CW
4:15-cv-00178-CW

Current As Of
Feb. 03, 2021
7:44 AM EST
Update Docket
What Does This Mean?

Date Filed
Jun. 13, 2014
Length Of Case (Closed)
1733 Days

Average Days To Close
For Other Antitrust Cases
Claudia Ann Wilken
877
Northern District Of
California
555

Related Opinions
2016 BL 254885
2018 BL 113463
2018 BL 49371
Show More …
Docket Entries

Keyword: Type here to filter entries by keyword

Filing Type by Docket Key: Type to select filing types - Powered by Docket Key
Browse All Filing Types on this Docket

Date: Any

Clear Filters
Search Entries
Reverse Entries

Print Entries PDF Request Entries

Entries shown are court assigned numbers

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<tr>
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<th>FILED</th>
<th>PDF</th>
<th>DESCRIPTION</th>
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<tr>
<td>1329</td>
<td>Dec 30, 2020</td>
<td>View</td>
<td>ORDER by Judge Claudia Wilken GRANTING 1302 MOTION FOR CLARIFICATION OF INJUNCTION (amGS, COURT STAFF) (Filed on 12/30/2020) Any non-CM/ECF Participants have been served by First Class Mail to the addresses of record listed on the Notice of Electronic Filing (NEF) (Entered: 12/30/2020)</td>
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<td>1328</td>
<td>Dec 16, 2020</td>
<td>Request</td>
<td>ORDER of United States Supreme Court - The petition for a writ of certiorari in No. 20-520 is granted. (amGS, COURT STAFF) (Filed on 12/16/2020) Modified on 12/17/2020 (cjJS, COURT STAFF). (Entered: 12/17/2020)</td>
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<tr>
<td>1327</td>
<td>Dec 16, 2020</td>
<td>Request</td>
<td>ORDER of United States Supreme Court - The petition for a writ of certiorari in No. 20-512 is granted. (amGS, COURT STAFF) (Filed on 12/16/2020) Modified on 12/17/2020 (cjJS, COURT STAFF). (Entered: 12/17/2020)</td>
</tr>
</tbody>
</table>
Dockets: Exercise

Your firm specializes in copyright litigation. A partner tells you that the firm is considering taking on four celebrity clients: LeBron James, Katy Perry, Justin Bieber, and Taylor Swift. The partner would like you to choose one of the celebrities, do a docket search, and find out whether they are involved in any pending copyright litigation in federal district court in California.

Hint: Celebrities might not be known by their legal name.
Transactional and Drafting Tools

- Bloomberg Law
  - Best option for transactional resources

- Lexis Practical Guidance

- Westlaw Practical Law
Judicial Analytics: Overview

- Lexis Context
- Westlaw Litigation Analytics
- Ravel Law
  - More bells and whistles
  - Create account using USD e-mail address at [https://www.ravellaw.com/](https://www.ravellaw.com/)
- Trellis
  - CA Superior Court analytics
  - Create account using USD email address at [https://trellis.law/signup](https://trellis.law/signup)
- Gavelytics
  - Another source for analytics on CA judges, also includes mediation and arbitration rulings
  - Contact lrrefer@sandiego.edu for access

I am looking for information about objections to evidence before Judge John Kronstadt.

Is there a way for me to search the decisions of a particular judge?
Judicial Analytics: Lexis

Lexis describes Context as providing “legal language analytics”—allowing you to find language, cases, and other judges that a judge has found persuasive.

Also allows you to search for expert witnesses by name, showing the cases in which an expert has testified as well as whether the expert testimony was been admitted or excluded.

Also searchable: attorneys, courts, and companies.
<table>
<thead>
<tr>
<th>Judges</th>
<th>Koh, Lucy H. (United States District Court, California Northern)</th>
</tr>
</thead>
</table>

Who would you like to analyze using language analytics?
Lucy H. Koh
United States District Court, California Northern

Judicial Experience

2010 - Present  Judge
United States District Court, California Northern
Appointed by President Barack Obama

2006 - 2010  Judge
California Superior Court, Santa Clara County
Appointed by Governor Arnold Schwarzenegger

Other Experience

2002 - 2008  Partner
McDermott Will & Emery LLP

2000 - 2002  Senior Associate
Wilson Sonsini Goodrich & Rosati

1997 - 2000  Assistant U.S. Attorney
Central District of California

1996 - 1997  Special Assistant to the Deputy Attorney General
U.S. Department of Justice

1994 - 1996  Special Counsel, Office of Legislative Affairs
U.S. Department of Justice

1993 - 1994  Fellow
U.S. Senate, Committee on the Judiciary

Education

1993  Harvard Law School
Doctor of Jurisprudence

Opinions by Areas of Law
(based on cases)

- Civil Procedure: 2661
- Criminal Law & Procedure: 1012
- Civil Rights Law: 837
- Evidence: 767
- Constitutional Law: 698

Opinions Per Year
(based on cases)

- 2010: 400
- 2011: 350
- 2012: 300
- 2013: 250
- 2014: 200
- 2015: 150
- 2016: 100
- 2017: 50
- 2018: 0
- 2019: 0
- 2020: 0
Motion Decisions from Lucy H. Koh's Cases

- **Granted**
- **Partial**
- **Denied**

### Motion Type
- Motion to dismiss
- Motion for summary judgment
- Motion for leave
- Motion to seal
- Motion to strike
- Motion for default judgment
- Motion for stay
- Motion for reconsideration
- Motion for remand
- Motion for certification
- Motion for injunctive relief
- Motion for judgment as a matter of law
- Motion to file
- Motion to compel
- Motion for appointment
- Motion for fees
- Motion to exclude
- Motion in limine
- Motion for judgment
- Motion for relief
- Motion for sanctions
- Motion for appointment of counsel

### Analysis

#### Total
- 867

### 787 cases where Lucy H. Koh ruled on a motion to dismiss

1. **Roe v. San Jose Unified Sch. Dist. Bd.**
   - United States District Court, California Northern
   - Jan 28, 2021
   - 2021 U.S. Dist. LEXIS 16633
   - **Motions**
     - motion to dismiss partial grant
   - **Decision Language**
     - The Court DENIES the motion to dismiss as to Plaintiffs' as-applied monetary claims against the individual Defendants in their personal capacities.

2. **Pesquera v. Perez**
   - United States District Court, California Northern
   - Jan 26, 2021
   - 2021 U.S. Dist. LEXIS 14620
   - **Motions**
     - motion to dismiss
     - motion to dismiss partial grant
   - **Decision Language**
     - The Court GRANTS Fernandez's motion to dismiss with prejudice.

3. **Rider v. JPMorgan Chase Bank N.A.**
   - United States District Court, California Northern
   - Jan 22, 2021
   - 2021 U.S. Dist. LEXIS 12486
   - **Motions**
     - motion to dismiss
     - motion to dismiss partial grant
     - motion for sanctions
   - **Decision Language**
     - For the foregoing reasons, the Court GRANTS Defendant's motion to dismiss the complaint with prejudice and GRANTS Defendant's motion for sanctions under Rule 11 of the Federal Rules of Civil Procedure.

4. **Anderson v. Intel Corp. Inv. Policy Comm.**
   - United States District Court, California Northern
   - Jan 21, 2021
   - 2021 U.S. Dist. LEXIS 12496
   - **Motions**
     - motion to dismiss
     - motion to dismiss partial grant
     - motion for sanctions
     - motion to dismiss partial grant
Judicial Analytics: Westlaw

Westlaw Litigation Analytics provides data on judges, attorneys, law firms, courts, and case types.
Judicial Analytics: Exercise

Your firm is representing an individual in a federal employment discrimination case before Judge Fernando Olguin in the Central District of California. An associate you are working with tells you she is thinking about recommending filing a motion for summary judgment to the partner. Find information using judicial analytics about how Judge Olguin typically rules on motions for summary judgment to help the associate decide whether she should make the recommendation to the partner.
Administrative Law: Overview

Branch of law governing the creation and operation of administrative agencies

Administrative law makes up a huge portion of “the law”

Legislative

Executive

Judicial

Regulations: quasi-legislative

Hearings/adjudications: quasi-judicial
How Agencies are Created

Legislature passes a law, giving the broad strokes and “enabling” a government agency to implement the law.

To implement the legislature’s intent, the agency typically will have to do 2 things:

1. Promulgate regulations that provide more detailed rules and establish oversight processes;
2. Enforce the law through those processes, including administrative hearings/adjudications.
Promulgation of Regulations

Overview of the process that agencies must follow:

1. Agency drafts & publishes proposed regulations in the Federal Register (Fed. Reg.)
2. Provide opportunity for public comment
3. Agency reviews comments and drafts; publishes final version in the Federal Register
4. Codify the final regulations in the Code of Federal Regulations (C.F.R.)
Federal Register

“[T]he official daily publication for rules, proposed rules, and notices of Federal agencies and organizations, as well as executive orders and other presidential documents”

Available via govinfo.gov (free; 1994–present); Westlaw, Lexis, and Bloomberg Law (all from inception (1936)–present)
Code of Federal Regulations

Codified version of agency rules; updated annually on a rolling schedule

Available via govinfo.gov (free; 1996–present); Westlaw, Lexis, and Bloomberg Law (historical scope varies)
Administrative Adjudications

- Differ widely among agencies
- Informal/formal
- Bind only parties/precedential effect
- Whether and how they’re published

- Agency websites are often a good place to start
- Westlaw (restricted summer access), Lexis, Bloomberg Law and other specialty databases have selected agency adjudications
- HeinOnline has historical agency materials
Guidance Documents

- Some agencies put out informal documents that lay out current thinking on issues
- Avoids strict requirements for promulgating regulations
- Not legally binding, but can be a good indicator of an agency’s position
- May not be formally published—look on agency’s website
Protect Employees

The law we enforce gives employees the right to act together to try to improve their pay and working conditions, with or without a union.

Read More

Protect Employees

Employer/Union Obligations

Introduction to the NLRB

The NLRB My Account Portal is an NLRB website that allows individuals to view cases and inquiries to which they are a party, e-file documents in those cases/inquiries, view their e-file history and manage their user profile.

My Account Portal
California Administrative Law

- California Code of Regulations (C.C.R.)
- Office of Administrative Law (OAL)
- Agency websites
- LRC’s California Administrative Law Research Guide
Librarians can also help with:

- Finding sources
- Finding local rules
- Citation formatting
- 50-State Surveys
- Legislative Histories
- Public Records
- Company research

lrcrefer@sandiego.edu
www.sandiego.edu/law/library